

## Article - Health - General

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§13-3301.

(a) In this subtitle the following words have the meanings indicated.

(b) “Caregiver” means:

(1) A person who has agreed to assist with a qualifying patient’s medical use of cannabis; and

(2) For a qualifying patient under the age of 18 years, a parent or legal guardian.

(c) “Certifying provider” means an individual who:

(1) (i) 1. Has an active, unrestricted license to practice medicine that was issued by the State Board of Physicians under Title 14 of the Health Occupations Article; and

2. Is in good standing with the State Board of Physicians;

(ii) 1. Has an active, unrestricted license to practice dentistry that was issued by the State Board of Dental Examiners under Title 4 of the Health Occupations Article; and

2. Is in good standing with the State Board of Dental Examiners;

(iii) 1. Has an active, unrestricted license to practice podiatry that was issued by the State Board of Podiatric Medical Examiners under Title 16 of the Health Occupations Article; and

2. Is in good standing with the State Board of Podiatric Medical Examiners; or

(iv) 1. Has an active, unrestricted license to practice registered nursing and has an active, unrestricted certification to practice as a nurse practitioner or a nurse midwife that were issued by the State Board of Nursing under Title 8 of the Health Occupations Article; and

2. Is in good standing with the State Board of Nursing;

(2) Has a State controlled dangerous substances registration; and

(3) Is registered with the Commission to make cannabis available to patients for medical use in accordance with regulations adopted by the Commission.

(d) “Commission” means the Natalie M. LaPrade Medical Cannabis Commission established under this subtitle.

(e) “Dispensary” means an entity licensed under this subtitle that acquires, possesses, processes, transfers, transports, sells, distributes, dispenses, or administers cannabis, products containing cannabis, related supplies, related products containing cannabis including food, tinctures, aerosols, oils, or ointments, or educational materials for use by a qualifying patient or caregiver.

(f) “Dispensary agent” means an owner, a member, an employee, a volunteer, an officer, or a director of a dispensary.

(g) “Fund” means the Natalie M. LaPrade Medical Cannabis Commission Fund established under § 13–3303 of this subtitle.

(h) “Grower” means an entity licensed under this subtitle that:

(1) Cultivates or packages medical cannabis; and

(2) Is authorized by the Commission to provide cannabis to a processor, dispensary, or independent testing laboratory.

(i) “Independent testing laboratory” means a facility, an entity, or a site that offers or performs tests related to the inspection and testing of cannabis and products containing cannabis.

(j) “Medical cannabis grower agent” means an owner, an employee, a volunteer, an officer, or a director of a grower.

(k) “Processor” means an entity that:

(1) Transforms medical cannabis into another product or extract; and

(2) Packages and labels medical cannabis.

(l) “Processor agent” means an owner, a member, an employee, a volunteer, an officer, or a director of a processor.

(m) “Qualifying patient” means an individual who:

(1) Has been provided with a written certification by a certifying provider in accordance with a bona fide provider–patient relationship; and

(2) If under the age of 18 years, has a caregiver.

(n) “Written certification” means a certification that:

(1) Is issued by a certifying provider to a qualifying patient with whom the provider has a bona fide provider–patient relationship; and

(2) Includes a written statement certifying that, in the provider’s professional opinion, after having completed an assessment of the patient’s medical history and current medical condition, the patient has a condition:

(i) That meets the inclusion criteria and does not meet the exclusion criteria of the certifying provider’s application; and

(ii) For which the potential benefits of the medical use of cannabis would likely outweigh the health risks for the patient; and

(3) May include a written statement certifying that, in the provider’s professional opinion, a 30–day supply of medical cannabis would be inadequate to meet the medical needs of the qualifying patient.

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